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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/581,663	08/03/2000	VOLKER BECKER	10191/1466	4295
26646	7590	06/03/2004	EXAMINER	
KENYON & KENYON ONE BROADWAY NEW YORK, NY 10004			AHMED, SHAMIM	
			ART UNIT	PAPER NUMBER
			1765	

DATE MAILED: 06/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER
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**Commissioner for Patents**

The reply brief filed 8/15/2003 has been entered and considered. The application has been forwarded to the Board of Patent Appeals and Interferences for decision on the appeal.

Appellants argue that etching process taught by Tang et al is completely contradictory to the teaching of Fujii et al.

In response to the appellant's argument, examiner states that the response is already provided in the examiner's answer mailed on June 12, 2003.

Appellants also argue that Wolf explicitly teaches that plasma etch is isotropic, which is completely contrary to the claimed anisotropic etching process and incompatible with the wet etching process of Fujii.

In response, examiner states that the argument is not persuasive because Wolf's dry etching are typically "anisotropic" (see page 539, lines 12-13) and the motivation for the combination is already discussed in the examiner's answer (paragraph 11).

As regards to the supplemental amendment after final filed on 5/22/2003, examiner point out that this amendment was not matched while examiner was preparing the examiner's answer.

Since the examiner currently has the jurisdiction of the present application, it is noted that the supplemental amendment after final rejection filed on 5/22/2003 has been considered and entered. Accordingly, the objection to claims 53 and 63 of the final office action mailed on 7/05/2002 is withdrawn and the claims 53 and 63 are now allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shamim Ahmed whose telephone number is (571) 272-1457. The examiner can normally be reached on M-Thu (7:00-5:30) Every Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nadine G Norton can be reached on (571) 272-1465. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shamim Ahmed  
Examiner  
Art Unit 1765

SA  
April 5, 2004

**NADINE G. NORTON**  
**SUPERVISORY PATENT EXAMINER**